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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/866,986	05/30/2001	Shigeki Ishino	046601-5098	4887
9629	7590	08/24/2005	EXAMINER	
MORGAN LEWIS & BOCKIUS LLP 1111 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004			GOLD, AVI M	
			ART UNIT	PAPER NUMBER
			2157	

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/866,986

Applicant(s)

ISHINO, SHIGEKI

Examiner

Avi Gold

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-33 and 35-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-33 and 35-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f):
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is responsive to the amendment filed on June 3, 2005. Claims 18 and 33 were amended. Claims 35-37 were added. Claim 34 was cancelled. Claims 18-33 and 35-37 are pending.

Response to Amendment

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 18-28, 30-33, and 35-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Hidaka et al., U.S. Patent No. 6,782,402.

Hidaka teaches the invention as claimed including a network copy-file management system which is made up of a copy system and terminals (see abstract).

Regarding claim 18, Hidaka teaches a system for reading an image, comprising;
an image reader including;
an operation instruction receiving part that receives an operation

instruction (col. 2, lines 44-49; col. 3, lines 14-16, Hidaka discloses a management and operation portion which inherently control a scanner); and

a reading part that reads an image based on the operation instruction received by the operation instruction receiving part (col. 2, lines 44-45, Hidaka discloses a scanner reading information);

a display operation part that displays information of the image reader and receives the operation instruction from a user, a management device, and the image reader (fig. 45, col. 3, lines 17-19, Hidaka discloses a display portion); and

the management device that manages the image reader and the display operation part (col. 2, lines 44-49, col. 3, lines 14-16),

wherein the management device, the image reader and the display operation part are connected over a network, and the reading part reads the image based on the operation instruction received by the operation instruction receiving part and/or the operation instruction received by the display operation part (fig. 45, col. 3, lines 1-19).

Regarding claim 19, Hidaka teaches the system for reading an image according to claim 18, wherein the display operation part is shared with a plurality of scanners (col. 2, lines 44-49).

Regarding claim 20, Hidaka teaches the system for reading an image according to claim 19, wherein the display operation part shared with the plurality of scanners is managed by the management device (col. 2, lines 44-49, col. 3, lines 14-16).

Regarding claim 21, Hidaka teaches the system for reading an image according to claim 18, further comprising:

an image transfer part that transfers the image read by the reading part to the management device (col. 3, lines 8-12, Hidaka discloses an image file transmitting portion); and

a storage part that stores the image read by the reading part (col. 2, lines 56-66, Hidaka discloses a storage portion for storing the image file).

Regarding claim 22, Hidaka teaches the system for reading an image according to claim 18, wherein the display operation part includes a browser part that displays a web page and receives an instruction to input the information into the web page (col. 6, lines 48-67, Hidaka discloses images transmitted by Java Applet to web browser).

Regarding claim 23, Hidaka teaches the system for reading an image according to claim 22, wherein the display operation part requires an operation instruction page supplied from the management device, and displays the acquired operation instruction page (col. 6, lines 48-67, Hidaka discloses the management information being displayed).

Regarding claim 24, Hidaka teaches the system for reading an image according to claim 23, wherein the reading part reads the image by receiving the operation

instruction from the management device based on parameters defined by the operation instruction page (col. 6, lines 48-67, Hidaka discloses the image file transmitting portion to send the image files corresponding to the specified management information).

Regarding claim 25, Hidaka teaches the system for reading an image according to claim 23, wherein the operation instruction page permits to designate an instruction that reads one document more than once continuously by using different parameters (col. 3, lines 55-59, Hidaka discloses different parameters of image file and data).

Regarding claim 26, Hidaka teaches the system for reading an image according to claim 18, the image reader further including:

a Web server part that supplies a web page to the display operation part (col. 6, lines 46-67).

Regarding claim 27, Hidaka teaches the system for reading an image according to claim 26, wherein the display operation part acquires a first operation instruction page supplied from the management device, acquires a second operation instruction page supplied by the web server part, and displays the acquired first and second operation instruction pages (col. 2, lines 44-49; col. 3, lines 17-19; col. 6, lines 48-67).

Regarding claim 28, Hidaka teaches the system for reading an image according to claim 26, wherein, when a failure occurs, the web server part supplies the display

operation part with a failure information page to inform that the failure has occurred (col. 33, lines 28-39, Hidaka discloses an error message on the display screen).

Regarding claim 30, Hidaka teaches the system for reading an image according to claim 18, wherein the operation instruction is sent from at least one of the management device directly, the management device through the display operation part, and the display operation part directly, to read the image based on the operation instruction by the reading part (fig. 45, col. 3, lines 1-19).

Regarding claim 31, Hidaka teaches the system for reading an image according to claim 18, wherein the display operation part is managed by the management device and/or a web server (col. 2, lines 44-49, col. 3, lines 14-16, col. 6, lines 48-67).

Regarding claim 32, Hidaka teaches the system for reading an image according to claim 19, wherein the display operation part includes a display screen and the screen is shared with the plurality of scanners per a division (fig. 45, col. 2, lines 44-49, col. 3, lines 17-19).

Regarding claim 33, Hidaka teaches an image reader being connected to a network comprising:

a display operation part detachably attached to the image reader and being connected to the image reader over the network, the display operation part that displays

information of the image reader and receives an operation instruction from a user and a management device (fig. 45, col. 3, lines 1-19);

an operation instruction receiving part that receives the operation instruction (col. 2, lines 44-49, col. 3, lines 14-16);

a reading part that reads an image based on the operation instruction received by the operation instruction receiving part (col. 2, lines 44-45); and

a web server that supplies a Web page to the display operation part, wherein the display operation part has one or more divided screens and at least one screen shows common information of a plurality of the image readers (fig. 45, col. 2, lines 44-49, col. 3, lines 14-19, col. 6, lines 46-67).

Regarding claim 35, Hidaka teaches a system for reading an image comprising:

an image reader including:

an operation instruction receiving part that receives an operation instruction (col. 2, lines 44-49, col. 3, lines 14-16); and

a reading part that reads the image based on the operation instruction received by the operation instruction receiving part (col. 2, lines 44-45);

a display operation part that displays information of the image reader and receives the operation instruction from a user, a management device, and the image reader (fig. 45, col. 3, lines 17-19); and

the management device that manages the image reader and the display operation part, the management device having common display information

displayed on the display operation part for a plurality of the image readers (col. 2, lines 44-49, col. 3, lines 14-16).

Regarding claim 36, Hidaka teaches the system for reading an image according to claim 35, wherein the information displayed on the display operation part has individual information for the image reader and common information for a plurality of the image readers, and the common information is managed by the management device (fig. 45, col. 2, lines 44-49, col. 3, lines 17-19, col. 6, lines 48-67).

Regarding claim 37, Hidaka teaches a system for reading an image comprising:
an image reader including;

- an operation instruction receiving part that receives an operation instruction (col. 2, lines 44-49, col. 3 lines 14-16); and

- a reading part that reads an image based on the operation instruction received by the operation instruction receiving part (col. 2, lines 44-45);

- a display operation part that displays information and receives the operation instruction (fig. 45, col. 3, lines 17-19), and

wherein the information displayed on the display operation part is settings of the image reader (col. 2, lines 44-49, col. 3, lines 1-19).

Claim Rejections - 35 USC § 103

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3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hidaka further in view of Meyer et al., U.S. Patent No. 6,289,378.

Hidaka teaches the invention substantially as claimed including a network copy-file management system which is made up of a copy system and terminals (see abstract).

As to claim 29, Hidaka teaches the method of claim 26.

Hidaka fails to teach the limitation further including the image reader according to claim 26, wherein the Web server part supplies a control page to the display operation part or a Web client, the control page receives a control instruction including a shutdown of a power supply, and the web server part executes the control instruction received by the control page.

However, Meyer teaches a remote computer management system using a web browser (see abstract). Meyer teaches the use of remote shutdown of a computer (col. 6, lines 44-54).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hidaka in view of Meyer to allow the display operation part or the web client to remotely shutdown a power supply. One would be motivated to do so because it gives a client full control of the image reader connected to the network.

Response to Arguments

5. Applicant's arguments filed June 3, 2005 have been fully considered but they are not persuasive.

Regarding the argument to claim 18, the applicant argues that the references, Hidaka and Meyer, do not disclose the features of a display operation part that displays information of an image reader and receives an operation instruction from a user, a management device, and the image reader. The examiner disagrees, as seen in, column 2, lines 44-49 and column 3, lines 14-16, there is a management and operation portion which control a scanner which reads information that is then displayed.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,757,715 to Philyaw.

U.S. Pat. No. 6,633,913 to Chalstrom et al.

U.S. Pat. No. 6,256,662 to Lo et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Avi Gold whose telephone number is 571-272-4002.

The examiner can normally be reached on M-F 8:00-5:30 (1st Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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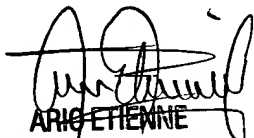
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Avi Gold

Patent Examiner

Art Unit 2157

AMG


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